

EXHIBIT B

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 06-5191

September Term, 2006

05cv001490
05cv00882
05cv00885
05cv00886
05cv00888
05cv00889
05cv00892
05cv01234
05cv01238
05cv01310
05cv01607
05cv01894
05cv02367
05cv02369
05cv02370
05cv02384
05cv02398
05cv02452
05cv02458
05cv02479
06cv00618

Filed On: June 7, 2007 [1045791]

Abdulahim Abdul Razak Al Gincio,
Appellant

v.

George W. Bush, President of the United States, et
al.,
Appellees

Consolidated with 06-5196, 06-5197, 06-5198,
06-5205, 06-5235, 06-5236, 06-5265, 06-5284,
06-5285, 06-5286, 06-5287, 06-5320, 06-5325,
06-5326, 06-5328, 06-5329, 06-5330, 06-5384,
06-5385, 06-5420, 07-5046

BEFORE: Randolph, Garland, and Griffith, Circuit Judges

ORDER

Upon consideration of the motions to vacate and dismiss in Nos. 06-5191, et al., and the notice of additional authority; the motion to vacate and dismiss in Nos. 06-5265 and 07-5046; the consolidated opposition to the motions, the supplements thereto, and notices of district court filings; and the reply; the motion to sever and to set a separate briefing schedule in No. 06-5191, the response thereto, and the reply; the motion to

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sever in No. 06-5384, the response thereto, and the reply; and the motion to sever and to set a separate briefing schedule in No. 06-5385, the response thereto, and the reply, it is

ORDERED that the motions to sever and to set a separate briefing schedule in Nos. 06-5191 and 06-5385 be denied. It is

FURTHER ORDERED that the government's motions to dismiss its own appeals and the appeal of Abdulrahim Abdul Razak Al Gingo be granted and Nos. 06-5191, et al., be dismissed for lack of subject matter jurisdiction. See Boumediene v. Bush, 476 F.3d 981 (D.C. Cir. 2007). It is

FURTHER ORDERED that the motion to sever No. 06-5384 be dismissed as moot. It is

FURTHER ORDERED that the government's motions to vacate the notice orders and to dismiss the habeas petitions be denied without prejudice. The district court may consider in the first instance respondents' motion to dismiss and petitioners' motions to stay and hold in abeyance, which are currently pending before the district court in the actions underlying these consolidated appeals.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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No. 06-5191

September Term, 2006

05cv01490, 05cv00882, 05cv00885,
05cv00886, 05cv00888, 05cv00889,
05cv00892, 05cv01234, 05cv01238,
05cv01310, 05cv01607, 05cv01894,
05cv02367, 05cv02369, 05cv02370,
05cv02384, 05cv02398, 05cv02452,
05cv02458, 05cv02479, 06cv00618

Filed On:

Abdulrahim Abdul Razak Al Ginco,
Appellant

v.

George W. Bush, President of the United States, et
al.,
Appellees

Consolidated with 06-5196, 06-5197, 06-5198,
06-5205, 06-5235, 06-5236, 06-5265, 06-5284,
06-5285, 06-5286, 06-5287, 06-5320, 06-5325,
06-5326, 06-5328, 06-5329, 06-5330, 06-5384,
06-5385, 06-5420, 07-5046

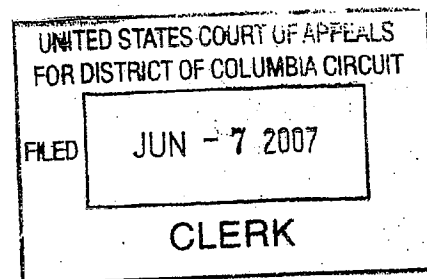
06-5331

Adel Hassan Hamad,
Appellant

v.

George W. Bush, President of the United States, et
al.,
Appellees

Consolidated with 06-5357



05cv00888
05cv01009

BEFORE: Randolph, Garland, and Griffith, Circuit Judges

ORDER

Upon consideration of the motion to vacate and dismiss in Nos. 06-5196, 06-5205, 06-5198, 06-5287, and 06-5325, and the notice of additional authority; the consolidated opposition to the motion in Nos. 06-5191, et al., the supplements thereto, the notice of district court filings; and the reply; the response in Nos. 06-5196 and 06-5205, and the reply; and appellant's unopposed motions to dismiss Nos. 06-5205 and 06-5357, it is

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No. 06-5191

September Term, 2006

ORDERED that the motions to dismiss the appeals be granted. Nos. 06-5196, 06-5205, 06-5357, 06-5198, 06-5287, and 06-5325 are hereby dismissed as moot in light of the release of the petitioners from United States custody. It is

FURTHER ORDERED that the motion to vacate the notice orders be dismissed as moot in light of petitioners' release. It is

FURTHER ORDERED that the request to dismiss the habeas petition of Hajji Ghalib, appellee in No. 06-5198, be dismissed as moot in light of petitioner's release and the district court's dismissal of his petition for writ of habeas corpus. Ghalib v. Bush, No. 05cv1238 (D.D.C. Mar. 6, 2007). It is

FURTHER ORDERED that, in light of the matters currently pending before the district court, including the motion for reconsideration of the dismissal in Gul v. Bush, No. 05cv888 (D.D.C. Mar. 6, 2007); the order to show cause and motion to dismiss in Mohammad v. Bush, 05cv885 (D.D.C.), and the motion to dismiss in Alsaai v. Bush, 05cv2369 (D.D.C.), this court denies without prejudice the government's request that this court dismiss the habeas cases. As the government noted in its reply in Nos. 06-5196 and 06-5205, the district court is the appropriate forum to determine whether petitioners' remaining claims in their habeas actions are moot. See Kiyemba v. Bush, Nos. 05-5487, et al., 2007 WL 964612 (D.C. Cir. Mar. 22, 2007). It is

FURTHER ORDERED that the consolidation of Nos. 06-5196, 06-5205, 06-5357, 06-5198, 06-5287, and 06-5325 with Nos. 06-5191, et al., be terminated.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate in Nos. 06-5196, 06-5205, 06-5357, 06-5198, 06-5287, and 06-5325 until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

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